

6,286,284 to Cantley;

c) claims 3 and 11 presently stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cantley in view of U.S. Pat. No. 5,865,427 to Cowan; and

d) claims 17-24 are new claims.

2. Applicant respectfully requests the Examiner to amend the specification as follows:

a) Page 4, first paragraph (lines 1-3), "Clean Version"

W1 toward the top surface 20. That way, the first extension 12 and the second extension 14 have at least a 50% offset.

"Marked Up" Version - (underlined words indicates added words, and bracketed words indicates deleted words)

W1 toward the top surface 20. That way, the first extension 12 and the second extension 14 have at least a 50% offset.

b) Page 5, the fourth and fifth full paragraphs, "Clean Version"

In figure 1 the aperture 18 is illustrated as a square. That aperture design is not the only design. It can be any other design, such as a polygon like a rectangle, a diamond, or a pentagon, or shape having a continuous single curvilinear line like a circle as shown in figure 4, or an ellipse. When a shape having a continuous single curvilinear line is used, there is fill 80. Fill 80 can be the width of the merger W4 of the two extensions 12,14, the width W1 of the first extension 12, the

width W_2 of the second extension 14, the width W_3 of the first and second extensions 12,14, greater than the width W_5 of both first and second extensions 12,14, or any size between W_4 and W_5 . It can be any type of design so long as there are the two extensions 12,14.

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(cont'd) The extensions 12,14 can also be of any design. The design can have a convex surface, planar as shown in figure 2, or concave as shown in figure 5.

"Marked Up Version"

In figure 1 the aperture 18 is illustrated as a square. That aperture design is not the only design. It can be any other design, such as a polygon like a rectangle, a diamond, or a pentagon, or shape having a continuous single curvilinear line like a circle as shown in figure 4, or an ellipse. When a shape having a continuous single curvilinear line is used, there is fill 80. Fill 80 can be the width of the merger W_4 of the two extensions 12,14 [14,16], the width W_1 of the first extension 12, the width W_2 of the second extension 14, the width W_3 of the first and second extensions 12,14 [14,16], greater than the width W_5 of both first and second extensions 12,14 [14,16], or any size between W_4 and W_5 . It can be any type of design so long as there are the two extensions 12,14 [14,16].

The extensions 12,14 [14,16] can also be of any design. The design can have an convex [concave] surface, planar as shown in figure 2, or concave [convex] as shown in figure 5.

3. Applicant amends the claims, and what follows is a "Clean Version" of the claims, followed by the "Marked Up" version:

"Clean Version" of the claims.

~~Sub 1.~~ (amended) A polymeric lattice fence comprising:
a unitary polymeric structure having a framework of at least one first extension and at least one second extension, the first and second extensions appear to cross one another at a juncture, the first and the second extensions appear to cross over each other at different angles to form a network of apertures between the extensions;
the first and second extensions each have a length, a width, two side edges, and a depth that are the same or distinct; and
at the juncture where the first and the second extensions appear to cross over each other, at least 50% to 95% of the depth of each side edge is exposed and the remaining portion of the depth of each side edge is merged with the other extension.

2. (amended) The lattice of amended claim 1 wherein the at least 50% to 95% exposed depth of each side edge is about 80%.

~~A;~~ 3. The lattice of amended claim 1 wherein the polymeric material is polyethylene.

4. The lattice of amended claim 1 wherein the first extension and the second extension are at obtuse angles to each other.

5. The lattice of amended claim 1 wherein the first extension and the second extension are at right angles to each other.

6. The lattice of amended claim 1 wherein the first extension and the second extension are at acute angles to each other.

7. The lattice of amended claim 1 wherein the aperture is a four-sided polygon.

8. The lattice of amended claim 1 wherein the aperture is defined by a continuous single curvilinear line.

9. (amended) A method of manufacturing a unitary polymeric lattice fence having a framework of at least one first extension and at least one second extension that appear to cross one another at a juncture, and that appear to cross over each other at different angles to form a network of apertures between the extensions; the first and second extensions each have a length, a width, two side edges, and a depth that are the same or distinct; and at the juncture where the first and the second extensions appear to cross over each other, at least 50% to 95% of the depth of each side edge is exposed and the remaining portion of the depth of each side edge is merged with the other extension; comprising injecting a polymeric material into a mold having a predetermined shape.

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(un1)

10. (amended) The method of claim 9 wherein the at least 50% to 95% exposed depth of each side edge is about 80%.

11. The method of claim 9 wherein the polymeric material is polyethylene.

12. The method of claim 9 wherein the first extension and the second extension are at obtuse angles to each other.

13. The method of claim 9 wherein the first extension and the second extension are at right angles to each other.

14. The method of claim 9 wherein the first extension and the second extension are at acute angles to each other.

A; 15. The method of claim 9 wherein the aperture is a four-sided (cont'd) polygon.

16. The method of claim 9 wherein the aperture is defined by a continuous single curvilinear line.

Sub B. 17. (new) A polymeric lattice fence comprising:

a unitary polymeric structure having a framework of at least one first extension and at least one second extension, the first and second extensions appear to cross one another at a juncture, the first and the second extensions appear to cross over each other at different angles to form a network of apertures between the extensions;

the first and second extensions each have a length, a width, two side edges, and a depth that are the same or distinct, and the first and second extensions each have a top surface and a bottom surface;

Ay the top surfaces of the first and second extensions are flat, and the bottom surface of the second extension is flat, and the bottom surface of the first extension is transversely concave, so that at the juncture where the first and second extensions appear to cross one another, a space is defined between the concave bottom surface of the first extension and the flat top surface of the second extension, the space for

enhancing a three dimensional appearance of the lattice; and
at the juncture where the first and the second extensions
appear to cross over each other, at least 50% to 95% of the
depth of each side edge is exposed and the remaining portion of
the depth of each side edge is merged with the other extension.

18. (new) The polymeric lattice fence according to claim 17
wherein the top surface of the first extension is transversely
convex.

19. (new) The polymeric lattice fence according to claim 17
wherein the bottom surface of the second extension is
transversely convex.

20. (new) A polymeric lattice fence comprising:

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(cont.)
a unitary polymeric structure having a framework of at
least one first extension and at least one second extension, the
first and second extensions appear to cross one another at a
juncture, the first and the second extensions appear to cross
over each other at different angles to form a network of
apertures between the extensions;

the first and second extensions each have a length, a
width, two side edges, and a depth that are the same or
distinct, and the first and second extensions each have a top
surface and a bottom surface;

at the juncture where the first and the second extensions
appear to cross over each other, at least 50% to 95% of the
depth of each side edge is exposed and the remaining portion of
the depth of each side edge is merged with the other extension
at a merger;

each of the apertures in the network of apertures is curvilinear shaped; and

further comprising fill between the first and second extensions, the fill for forming the curvilinear shaped apertures.

21. (new) The polymeric lattice fence according to claim 20 wherein the fill comprises a width that is about equal to a width of the merger.

22. (new) The polymeric lattice fence according to claim 20 wherein the fill comprises a width that is about equal to either a width of the first extension or the width of the second extension.

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(cont'd) 23. (new) The polymeric lattice fence according to claim 20 wherein the fill comprises a width that is about equal to or greater than a combined width of the first and second extensions.

24. (new) The polymeric lattice fence according to claim 20 wherein the fill comprises a width that is between about a width of the merger and greater than a combined width of the first and second extensions.

"Marked Up" Version of the claims, underlining indicates added words, brackets indicate deleted words:

1. (amended). A polymeric lattice fence comprising:

a unitary polymeric structure having a framework of at least one first extension and at least one second extension, the first and second extensions appear to cross one another at a juncture, the first and the second extensions appear to cross over each other at different angles to form a network of apertures between the extensions;

the first and second extensions each have a length, a width, two side edges, and a depth that are the same or distinct; and

at the juncture where the first and the second extensions appear to cross over each other, at least 50% to 95% of the depth of each side edge is exposed and the remaining portion of the depth of each side edge is merged with the other extension.

2. (amended) The lattice of amended claim 1 wherein the at least 50% to 95% exposed depth of each side edge is about [eighty percent] 80%.

3. The lattice of amended claim 1 wherein the polymeric material is polyethylene.

4. The lattice of amended claim 1 wherein the first extension and the second extension are at obtuse angles to each other.

5. The lattice of amended claim 1 wherein the first extension and the second extension are at right angles to each other.

6. The lattice of amended claim 1 wherein the first extension and the second extension are at acute angles to each other.

7. The lattice of amended claim 1 wherein the aperture is a four-sided polygon.

8. The lattice of amended claim 1 wherein the aperture is defined by a continuous single curvilinear line.

9. (amended). A method of manufacturing a unitary polymeric lattice fence having a framework of at least one first extension and at least one second extension that appear to cross one another at a juncture, and that appear to cross over each other at different angles to form a network of apertures between the extensions; the first and second extensions each have a length, a width, two side edges, and a depth that are the same or distinct; and at the juncture where the first and the second extensions appear to cross over each other, at least 50% to 95% of the depth of each side edge is exposed and the remaining portion of the depth of each side edge is merged with the other extension; comprising injecting a polymeric material into a mold having a predetermined shape.

10. (amended) The method of claim 9 wherein the at least 50% [fifty percent] to 95% exposed depth of each side edge is about [eighty percent] 80%.

11. The method of claim 9 wherein the polymeric material is polyethylene.

12. The method of claim 9 wherein the first extension and the second extension are at obtuse angles to each other.

13. The method of claim 9 wherein the first extension and the second extension are at right angles to each other.

14. The method of claim 9 wherein the first extension and the second extension are at acute angles to each other.

15. The method of claim 9 wherein the aperture is a four-sided polygon.

16. The method of claim 9 wherein the aperture is defined by a continuous single curvilinear line.

Claims 17-24 are all new claims and presented above.